

## Message Text

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73

ORIGIN EB-11

INFO OCT-01 EA-11 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 L-03 DOTE-00 SCA-01 /047 R

DRAFTED BY EB/ OA/ AVP: WPCLAPPIN: JO

6/19/73 EXT. 20827

APPROVED BY EB/ OA/ AVP: DBORTMAN

CAB - MR. TELLO ( SUBS)

EA/ NZ - MR. HALL ( INFO)

FAA - MR. JETT ( SUBS)

----- 000311

R 192153 Z JUN 73

FM SECSTATE WASHDC

TO AMEMBASSY SUVA

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E. O. 11652: N/ A

TAGS: ETRN, FJ

SUBJECT: CIVAIR - AIR CLUB INTERNATIONAL

1. EMBASSY MAY BE APPROACHED BY REP OF AIR CLUB INTERNATIONAL ( AI) OF SEATTLE, WASHINGTON FOR ASSISTANCE IN OBTAINING PERMISSION OF FIJI GOVERNMENT TO ALLOW AI' S AIRCRAFT TO LAND IN CONNECTION WITH PROPOSED CLUB TOUR OF SOUTH PACIFIC. THIS PERMISSION HAS ALREADY BEEN DENIED BY DEPT OF TRANSPORTATION AND CIVIL AVIATION OF FIJI.

2. FYI: AIR CLUB INTERNATIONAL IS AN AIR TRAVEL CLUB CERTIFICATED BY FAA UNDER PART 123 OF FAA REGULATIONS. THE FAA IS RESPONSIBLE FOR THE TECHNICAL REGULATION OF THE AIR CARRIERS. THE CIVIL AERONAUTICS BOARD, WHICH IS RESPONSIBLE FOR THE ECONOMIC REGULATION OF THE AIR CARRIERS, HAS GENERALLY CONSIDERED THAT AIR TRAVEL CLUBS DO NOT REQUIRE CAB OPERATING AUTHORIZATION SINCE THEY ARE NOT AUTHORIZED TO ENGAGE IN AIR TRANSPORTATION

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AS COMMON CARRIERS BY THE NATURE OF THEIR FAA CERTIFICATES.  
COMMON CARRIAGE, ESSENTIALLY, IS THE HOLDING OUT OF  
SERVICES TO THE PUBLIC FOR COMPENSATION OR HIRE.

RECENTLY HOWEVER, THE CAB'S BUREAU OF ENFORCEMENT HAS  
INITIATED LITIGATION AGAINST SEVERAL AIR TRAVEL CLUBS  
CONTENDING THAT THEY ARE, IN FACT, OPERATING AS COMMON  
CARRIERS.

A FORMAL COMPLAINT WAS MADE BY CAB AGAINST AIR CLUB  
INTERNATIONAL ALLEGING IT WAS ENGAGING IN COMMON CARRIAGE  
WITHOUT REQUISITE AUTHORITY. FOLLOWING HEARINGS, CAB  
ADMINISTRATIVE LAW JUDGE, JUNE 6, 1973, ISSUED AN  
INITIAL DECISION THAT AIR CLUB INTERNATIONAL HAD BEEN  
OPERATING IN VIOLATION OF THE FEDERAL AVIATION ACT OF  
1958 AND ORDERED THAT IT CEASE AND DESIST. IN  
ABSENCE OF APPEAL, THIS DECISION WILL BECOME FINAL IN  
31 DAYS, BUT LIKELY THAT DECISION WILL BE APPEALED.

3. BASED ON THE FOREGOING, AND PENDING A FINAL  
RESOLUTION OF THE MATTER, IT WOULD NOT BE APPROPRIATE  
FOR THE EMBASSY TO SEEK TO ASSIST AI BY APPROACHING  
FIJIAN AUTHORITIES AT THIS TIME. END FYI.

4. SHOULD EMBASSY BE APPROACHED BY FIJIAN AUTHORITIES  
IT MAY DRAW ON INFO PARA 2 ABOVE IN EXPLAINING US  
POSITION. ANY APPROACHES BY AI REPS FOR ASSISTANCE  
SHOULD BE REPORTED TO THE DEPARTMENT. ROGERS

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NNNNMAFVVZCZ

\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* LIMITED OFFICIAL USE

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 19 JUN 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Enclosure:** n/a  
**Executive Order:** n/a  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
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**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 06 NOV 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <06-Nov-2001 by morefirh>; APPROVED <06-Nov-2001 by morefirh>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Subject:** CIVAIR - AIR CLUB INTERNATIONAL  
**TAGS:** ETRN, FJ  
**To:** SUVA  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005